

Date of decision:21-12-1995

For Approval and Signature

The Hon'ble Mr. Justice S. K. KESHOTE

1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporter or not?
3. Whether their Lordships wish to see the fair copy of the judgment?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India,1950 or any order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

Coram: S.K. KESHOTE,J.
21-12-1995)

ORAL JUDGMENT:

Having heard the learned counsel for the petitioner at length, I do not find any substance in the writ petition.

The order of the learned Tribunal dated 23rd November, 1983 does not suffer from any illegality whatsoever which warrants interference of this court sitting under Article 227 of the Constitution of India.

2. Much insistence has been placed by the learned counsel for the petitioner on the fact that the letter of resignation of the petitioner from service dated 4-5-1978 was obtained by the management of the school by adopting coercive methods. This aspect has not been considered by the Tribunal. I do not find any substance in this contention of the learned counsel for the petitioner. The petitioner has resigned from service on 14-5-1978 and he joined some other college as Principal on 15-6-1979. In case what the petitioner's counsel contended is correct, then the petitioner should have lodged a protest against the aforesaid action of the management immediately after 14-5-1978. This protest should have been in the form of some representation or some complaint to the Government. The petitioner has not lodged any protest whatsoever against this order till he got himself employed elsewhere. The complaint of the nature which has been made by the petitioner after joining elsewhere apparently seems to be manufactured for seeking some benefits for himself. Such conduct of the petitioner is relevant and sufficient for declining any relief to him under the extra ordinary jurisdiction.

3. In the result the petition fails and the same is dismissed. Rule discharged. No order as to costs.

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